

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

THERESA A. PALMER,

Plaintiff,

CIVIL ACTION NO. 06-CV-13170-DT

VS.

DISTRICT JUDGE ROBERT H. CLELAND

FORD MOTOR CO.,

MAGISTRATE JUDGE MONA K. MAJZOUN

Defendant.

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**OPINION AND ORDER GRANTING DEFENDANT'S  
MOTION TO COMPEL DISCOVERY**

This matter comes before the Court on Defendant's Motion to Compel Discovery filed on May 23, 2007. (Docket no. 15). Plaintiff filed a Response brief on June 18, 2007. (Docket no. 17). All pretrial matters have been referred to the undersigned for decision or recommendation. (Docket nos. 12, 13). The Court heard oral argument from Plaintiff, acting *pro se*, and Defendant's counsel on July 9, 2007. The matter is now ready for ruling.

Defendant shows that it served on Plaintiff its First Interrogatories and Requests for Production of Documents to Plaintiff on April 3, 2007. (Docket no. 15, ex. B). Defendant's counsel wrote Plaintiff a letter on May 8, 2007 seeking responses to the discovery requests within 7 days. (*Id.* ex. A). Plaintiff, however, had not served any responses at the time of the hearing on July 9, 2007.

Plaintiff does not deny that she failed to serve responses within the required time limits of Fed. R. Civ. P. 33 and 34. Plaintiff has therefore waived any objections to these discovery requests. *See* Fed. R. Civ. P. 33(b)(4); *Phillips v. Dallas Carriers Corp.*, 133 F.R.D. 475, 477 (M.D.N.C. 1990) (Rule 34 waiver). Defendant's Motion to Compel will therefore be granted. The Court declines at this time to award sanctions or costs and fees.

**IT IS THEREFORE ORDERED** that Defendant's Motion to Compel Discovery (docket no. 15) is **GRANTED**.

**IT IS FURTHER ORDERED** that Plaintiff serve on Defendant's counsel by 5:00 p.m. on July 12, 2007 properly signed and notarized copies of all of the authorization forms attached to Defendant's discovery requests. These authorization forms pertain to medical, employment, educational, and tax records and information. Plaintiff may fax these completed forms to Defendant's counsel.

**IT IS FURTHER ORDERED** that Plaintiff serve on Defendant's counsel by 5:00 p.m. on July 18, 2007 full and complete answers to Defendant's Interrogatories and responses to Defendant's Requests for the Production of Documents. These answers and responses may also be faxed to Defendant's counsel.

#### **NOTICE TO THE PARTIES**

Pursuant to Fed. R. Civ. P. 72(a), the parties have a period of ten days from the date of this Order within which to file any written appeal to the District Judge as may be permissible under 28 U.S.C. 636(b)(1).

Dated: July 10, 2007

s/ Mona K. Majzoub  
MONA K. MAJZOUB  
UNITED STATES MAGISTRATE JUDGE

#### **PROOF OF SERVICE**

I hereby certify that a copy of this Opinion and Order was served upon Theresa A. Palmer and Counsel of Record on this date.

Dated: July 10, 2007

s/ Lisa C. Bartlett  
Courtroom Deputy